1		Judge Lasnik
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5		TES DISTRICT COURT RICT OF WASHINGTON
6		SEATTLE
7	UNITED STATES OF AMERICA,) NO. CR06-0301L
8	Plaintiff,) ORDER GRANTING
9	V.) STIPULATED MOTION TO CONTINUE TRIAL
10	FRANKIE ROBERTSON BUTLER &, MICHAEL ANTHONY BELL,))
11 12	Defendant.	
14		<i>)</i>

THE COURT having considered the stipulation of the parties, the records and files herein, including, but not limited to Frankie Robertson Butler's agreement to extend the time for trial, hereby makes the following findings of fact:

- 1. The Court finds that the defendants, Frankie Robertson Butler and Michael Anthony Bell, are properly joined for trial.
- 2. The Court finds that it is unreasonable to expect counsel for Mr. Bell to be prepared for trial on December 4, 2006, five days after Mr. Bell is expected to make his initial appearance. The Court finds that a failure to grant the continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, within the meaning of 18 U.S.C. § 3161(h)(8)(B)(iv).
- 3. The Court finds that continuing this case to January 29, 2007, a date within Mr. Bell's 70-day time for trial period, is reasonable and does not violate Mr. Butler's speedy-trial rights, since the continuance provides Mr. Bell's counsel with the necessary time to prepare for trial and results in no prejudice to Mr. Butler, within the meaning of 18 U.S.C. § 3161(h)(7).

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1	4. The Court finds that the ends of justice will be served by ordering a	
2	continuance in this case. The Court further finds that the continuance will serve the	
3	interests of judicial economy and is necessary to insure effective trial preparation and tha	
4	these factors outweigh the bests interests of the public in a more speedy trial within the	
5	meaning of 18 U.S.C. § 3161(h)(8)(A).	
6	IT IS THEREFORE ORDERED that the trial date be continued from December 4	
7	2006, to January 29, 2007.	
8	IT IS FURTHER ORDERED that the period of time from November 27, 2006, up	
9	to and including the new proposed trial date of January 29, 2007, shall be excludable time	
10	pursuant to the Speedy Trial Act, 18 U.S.C. §§ 3161, et. seq.	
11	DONE this 29th day of November, 2006.	
12	$M_{\bullet} \propto \zeta / \gamma_{\bullet}$	
13	MMS (asuik) Robert S. Lasnik	
14	United States District Judge	
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16	Presented by:	
17		
18	s/ C. Andrew Colasurdo C. ANDREW COLASURDO	
19	Special Assistant United States Attorney	
20	WA Bar #27449 United States Attorney's Office	
21	700 Stewart Street, Suite 5220 Seattle, WA 98101-1271	
22	Telephone: (206) 553-4075	
23	Fax: (206) 553-0755 E-mail: Andy.Colasurdo@usdoj.gov	
24		
25	(Telephonic approval)	
26	DAVID GEHRKE Attorney for Frankie Robinson Butler	
27		
28	(PROPOSED) ORDER GRANTING STIPULATED MOTION TO CONTINUE TRIAL	

BUTLER & BELL, CR06-0301L - 2